

REMARKS

This is intended as a full and complete response to the Final Office Action dated November 15, 2006, having a shortened statutory period for response set to expire on February 15, 2007. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-12, 15-30 and 32-35 remain pending following entry of this response. Claims 1, 10, 15, 29, 30, 32 and 35 have been amended. Applicants submit that the amendments do not introduce new matter.

Claim Objections

Claims 1, 10, 15, 29, 32 and 35 are objected to because of the following informalities: the recitation "whereby" in the body of the claims should be changed to "includes"; or simply deleting the recitation.

Respectfully, amending the claims as suggested by the Examiner would render the claims unintelligible. For example, the relevant clause in claim 1 would read: "determining whether the step is deterministic, whereby includes the step generates identical output for given input in repeated executions of the step on the relevant data". Further, use of the term "whereby" is entirely appropriate as the clause defines what is meant by "deterministic". Since determining whether a step is deterministic is fundamental to the present claims Applicants deemed it appropriate to include an explicit definition of what is meant by "deterministic". However, whether that definition is preceded by "whereby" or any other appropriate term is entirely irrelevant to Applicants. Accordingly, Applicants have made an appropriate amendment intended to satisfy any concerns the Examiner may have while maintaining the definition of deterministic. Because these amendments are being made at the request of the Examiner, Applicants respectfully submit that the amendments do not require further search or consideration, and should be entered.

Claims 2, 4, 15 and 17-20 are objected to because they recite the word "for" in the body of the claims, indicating intended use and as such do not carry patentable weight. The Examiner suggests that the word could be changed to recite "to". For example, the Examiner suggests that claim 17 recites "for execution" and should be "to execute" or "that executes".

Respectfully, Applicants point out that claims 2, 4 and 17-20 do not include any such recitations. It is presumed that the Examiner intended to refer to claims 1 and 15. Accordingly, Applicants have made appropriate amendments. Because these amendments are being made at the request of the Examiner, Applicants respectfully submit that the amendments do not require further search or consideration, and should be entered.

Claim Rejections - 35 U.S.C. § 102

Claims 1-12, 15-28 and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by *Li* (US 6,748,386 B1).

Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The present rejection appears to be largely identical to the previous rejection (Office Action mailed June 7, 2006). Accordingly, the present rejection is defective for all the reasons given in Applicants' previous Response mailed August 30, 2006, which is hereby incorporated herein in its entirety (hereinafter "Previous Response"). In addition, Applicants observe that the Examiner appears to equate the "query" of *Li* with the "step" of the present claims. Respectfully, this analogy is untenable. The workflow

step of the present claims receives input for execution of the step. The query of *Li* receives no input for its execution. Rather, the query of *Li* is a self-contained statement executable by a query engine, as is known in the art. Therefore, *Li* does not teach receiving current input to an executable of a step of a workflow, as suggested by the Examiner. This applies to each of the base claims. Accordingly, the rejection is believed to be improper and Applicants respectfully request that the rejection be withdrawn and the claims be allowed.

Claim Rejections - 35 U.S.C. § 103

Claims 29-30 and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Li* in view of *Crisan et al.* (US 2003/0191769 A1, hereinafter *Crisan*).

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the third criterion.

Specifically, *Li* does not teach, show or suggest "receiving current input to a step of the workflow on relevant data of the database, wherein the step has been previously executed on the relevant data using previous input identical to the current input and wherein the previous execution of the step produced previous output" as established above and as established in Applicants' Previous Response. Further, *Li* does not teach, show or suggest "determining whether the step is deterministic, in that the step generates identical output for given input in repeated executions of the step on the relevant data, as established in Applicants' Previous Response. Therefore, the combination of *Li* and *Crisan* does not disclose each of the claimed elements of the rejected claims.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Gero McClellan, attorney of record, at (336) 643-3065, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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